

PATENT

Docket: CU-5023

COMBINED DECLARATION AND POWER OF ATTORNEY*(ORIGINAL, DESIGN, NATIONAL STAGE OF PCT, SUPPLEMENTAL, DIVISIONAL,
CONTINUATION OR CIP)*

As a below named inventor, I hereby declare that:

TYPE OF DECLARATIONThis declaration is of the following type: *(check one applicable item below)*

- original
- design
- supplemental

Note: If this Declaration is for an International Application being filed as a divisional, continuation or continuation-in-part application, do not check next item; check appropriate one of last three items.

- national stage of PCT

Note: If one of the following 3 items apply, then complete and also attach ADDED PAGES FOR DIVISIONAL, CONTINUATION OR CIP.

- divisional
- continuation
- continuation-in-part (CIP)

INVENTORSHIP IDENTIFICATION

WARNING: If the inventors are each not the inventors of all the claims, an explanation of the facts, including the ownership of all the claims at the time the last claimed invention was made, should be submitted.

My residence, post office address and citizenship are as stated below, next to my name. I believe that I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter that is claimed, and for which a patent is sought on the invention entitled:

TITLE OF INVENTION

A METHOD FOR NEGOTIATING THE BANDWIDTH OF DATA
COMMUNICATION CHANNEL AUTOMATICALLY

BEST AVAILABLE COPY

Page 1 of 5

SPECIFICATION IDENTIFICATION

the specification of which: (complete (a), (b) or (c))

(a) is attached hereto.

(b) was filed on _____ as Serial No. _____

Note: *Amendments filed after the original papers are deposited with the PTO that contain new matter are not accorded a filing date by being referred to in the Declaration. Accordingly, the amendments involved are those filed with the application papers or, in the case of a supplemental Declaration, are those amendments claiming matter not encompassed in the original statement of invention or claims. See 37 CFR 1.67.*

(c) was described and claimed in PCT International Application No. PCT/CN2005/002042 filed on November 29, 2005.

ACKNOWLEDGEMENT OF REVIEW OF PAPERS AND DUTY OF CANDOR

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information, which is material to patentability as defined in 37, Code of Federal Regulations, § 1.56,

(also check the following items, if desired)

and which is material to the examination of this application, namely, information where there is a substantial likelihood that a reasonable Examiner would consider it important in deciding whether to allow the application to issue as a patent, and

in compliance with this duty, there is attached an information disclosure statement, in accordance with 37 CFR 1.98.

PRIORITY CLAIM (35 U.S.C. § 119(a)-(d))

I hereby claim foreign priority benefits under Title 35, United States Code, § 119(a)-(d) of any foreign application(s) for patent or inventor's certificate or of any PCT international application(s) designating at least one country other than the United States of America listed below and have also identified below any foreign application(s) for patent or inventor's certificate or any PCT international application(s) designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application(s) of which priority is claimed.

(complete (d) or (e))

(i) no such applications have been filed.
 (ii) such applications have been filed as follows.

Note: Where item (c) is entered above and the international application which designated the U.S. itself claimed priority check item (e), enter the details below and make the priority claim.

**PRIOR FOREIGN/PCT APPLICATION(S) FILED WITHIN 12 MONTHS
(6 MONTHS FOR DESIGN) PRIOR TO THIS APPLICATION
AND ANY PRIORITY CLAIMS UNDER 35 U.S.C. § 119(a)-(d)**

COUNTRY (OR INDICATE IF PCT)	APPLICATION NUMBER	DATE OF FILING (day/month/year)	PRIORITY CLAIMED UNDER 35 USC 119
P.R. China	2004 10096463.9	30 November 2004	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/>
			<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/>

**CLAIM FOR BENEFIT OF PRIOR U.S. PROVISIONAL APPLICATION(S)
(35 U.S.C. § 119(e))**

I hereby claim the benefit under Title 35, United States Code, § 119(e) of any United States provisional application(s) listed below:

PROVISIONAL APPLICATION NUMBER	FILING DATE

**ALL FOREIGN APPLICATION(S), IF ANY, FILED MORE THAN 12 MONTHS
(6 MONTHS FOR DESIGN) PRIOR TO THIS U.S. APPLICATION**

Note: If the application filed more than 12 months from the filing date of this application is a PCT filing forming the basis for this application entering the United States as (1) the national stage or (2) a continuation, divisional, or continuation-in-part, then also complete ADDED PAGES TO COMBINED DECLARATION AND POWER OF ATTORNEY FOR DIVISIONAL, CONTINUATION OR CIP APPLICATION for benefit of the prior U.S. or PCT application(s) under 35 U.S.C. § 120.

POWER OF ATTORNEY

I hereby appoint the practitioners associated with Customer Number 26530 to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

SEND CORRESPONDENCE TO:

Customer Number 26530

Richard J. Streit
c/o Ladas & Parry LLP
224 South Michigan Avenue
Chicago, Illinois 60604

DIRECT TELEPHONE CALLS TO: (Name and telephone number)

(312) 427-1300

DECLARATION

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

SIGNATURE(S)

Note: Carefully indicate the family (or last) name, as it should appear on the filing receipt and all other documents.

FULL name of first joint inventor

<u>Dan</u> (Given Name)	<u>L</u> (Middle Initial or Name)	<u>LI</u> (Family (or Last) Name)
Inventor's signature <u>Dan Li</u>		
Date <u>21/08/2006</u>	Country of Citizenship <u>P.R. China</u>	
Residence <u>Shenzhen, Guangdong Province, P.R. China</u>		
Post Office Address <u>Huawei Administration Building, Bantian, Longgang District, Shenzhen, Guangdong Province, 518129, P.R. China</u>		

Full name of second joint inventor

Quan _____ (Given Name) Quan Li _____ (Middle Initial or Name) LI _____ (Family (or Last) Name)
Inventor's signature _____ Inventor's signature _____
Date 21/08/2006 Country of Citizenship P.R. China
Residence Shenzhen, Guangdong Province, P.R. China
Post Office Address Huawei Administration Building, Bantian, Longgang District,
Shenzhen, Guangdong Province, 518129, P.R. China

Full name of third joint inventor

Zhonghua _____ (Given Name) Zhonghua Deng _____ (Middle Initial or Name) DENG _____ (Family (or Last) Name)
Inventor's signature _____ Inventor's signature _____
Date 21/08/2006 Country of Citizenship P.R. China
Residence Shenzhen, Guangdong Province, P.R. China
Post Office Address Huawei Administration Building, Bantian, Longgang District,
Shenzhen, Guangdong Province, 518129, P.R. China